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SHORTHAND REPORTING

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FILED

September 28, 2009

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF COURT REPORTING

IN THE MATTER OF	:	
	:	<u>Administrative Action</u>
MARC BRODY, C.C.R.	:	
Certificate No: 30XI00052100	:	
	:	CONSENT ORDER
FOR LICENSURE TO PRACTICE	:	
COURT REPORTING IN THE STATE	:	
OF NEW JERSEY	:	

This matter was opened to the State Board of Court Reporting, (hereinafter the "Board") upon receipt of a reinstatement application for certification as a court reporter in this State filed by Marc Brody, C.C.R. in or about July 2008.

Review of this matter revealed that Mr. Brody was initially issued a certificate to practice court reporting in this State on or about May 1, 1970. The Board's records indicate

however that Mr. Brody's certificate expired on June 30, 2004 and that he has failed to renew his certificate since that date. Mr. Brody's certificate was administratively suspended without a hearing based upon his failure to renew the certificate, pursuant to N.J.S.A. 45:1-7.1. Therefore, Mr. Brody's certificate was suspended for the 2004-2006 and 2006-2008 licensure periods. In or about July 2008, Mr. Brody paid the required reinstatement fee and the renewal fees for the biennial periods of 2004-2006, 2006-2008 and the current period of 2008-2010, totaling \$760.00. In addition, he was provided an extension of time within which to complete, and submit proof of completion, of the requisite continuing education requirements with which he has complied. Thereafter, the Board voted to reinstate Mr. Brody's court reporting certificate.

Having reviewed the entire record, it appears to the Board, and Mr. Brody admitted, that he engaged in the practice of court reporting without a valid certificate after August 1, 2004 to June 30, 2008, in violation of N.J.S.A. 45:1-7.1(c).

It appearing that Marc Brody, C.C.R., desires to resolve this matter without the need for formal disciplinary proceedings; and the certificate holder acknowledging and not contesting the findings of fact and conclusions of law made by the Board; and the Board having been satisfied that the within

resolution adequately protects the public health, safety and welfare, and other good cause appearing;

IT IS ON THIS ^{24th} day of ^{August} ~~JULY~~ 2009,

HEREBY ORDERED AND AGREED THAT:

1. Marc Brody, C.C.R., is hereby formally reprimanded for his conduct as described above, namely, the unlicensed practice of court reporting, in violation of N.J.S.A. 45:1-7.1(c).

2. Mr. Brody is assessed a civil penalty in the amount of **\$1,500.00** for engaging in the unlicensed practice of court reporting in violation of N.J.S.A. 45:1-7.1(c). Payment of the civil penalty shall be made by certified check or money order payable to the State of New Jersey and submitted to the State Board of Court Reporting, to the attention of Dianne L. Tamoroglio, Executive Director of the Board, at 124 Halsey Street, Post Office Box 45019, Newark, New Jersey 07101, and sent simultaneously with the entry of this Order.

In the alternative, Mr. Brody may notify the Board office, prior to the entry of this Order, that he will pay the civil penalty, totaling **\$1,500.00** in equal monthly installments payments of **\$125.00** for a total of twelve (12) months. The first payment shall be paid simultaneously with submission of this

Order with subsequent payments due on the fifteenth of each month thereafter until the total amount is paid in full.


Any failure to make any installment payment within ten (10) days of the due date shall cause the entire remaining balance to become immediately due and payable without further notice.

3. Mr. Brody has already paid all past renewal fees as well as the fee for the current licensure period and his certificate was reinstated effective in or about July 2008.

4. Failure on the part of the respondent to pay the civil penalty or, in the alternative, the installment payments timely will result in the filing of a Certificate of Debt, including the applicable interest permitted by the New Jersey Court Rules, and may result in subsequent disciplinary proceedings before the Board for failure to comply with an Order of the Board.

STATE BOARD OF COURT REPORTING

By:


MARIANNE CAMMAROTA, C.C.R.
Board President

I have read and understand
the within Order and agree
to be bound by its terms.
Consent is hereby given to
the Board to enter this Order.

A handwritten signature in cursive script, appearing to read 'Marc Brody', written over a horizontal line.

MARC BRODY, C.C.R.

DATED: 7-27-09